

NINETY-EIGHTH YEAR.

SUNDAY MORNING, JULY 2, 1905.

PRICE FIVE CENTS.

BETTING CONTINUES  
AT DELMAR TRACKLargest Crowd of Week at Course  
Yesterday and Wagering Is  
Brisk.

## DEPUTY SHERIFF IN THE RING.

Horsemen Agree to Remain and  
Await the Result of Trials  
Wednesday—No Complaint  
on Purse Cutting.

Conditions at Delmar yesterday remained practically unchanged, although a Saturday crowd brought cheer to those who hope to see racing maintained at the county course. Yesterday was by far the best day of the week in the point of attendance, and the interest in the races and the play in the ring was correspondingly increased.

The same plan of handbooking was maintained in the bookmakers and the public seemed more kindly inclined to the new system of betting. There was no interference from the county officials, although Deputy Campbell was at the track most of the afternoon.

While the weather militated against a large attendance, the receipts at the box office and the play to the handbooks showed that the Saturday crowd was the best of the week, and the six races attracted a keener interest than at any time since Sheriff Herpel stopped the open bookmaking Monday.

That all is now hanging upon the action of the St. Louis County Circuit Court seems certain, and the bookmakers yesterday in greeting old friends stated that they had every confidence that racing would be maintained. The cases of the six bookmakers are to be tried Wednesday, and they assert that the county officials have no evidence upon which they can be convicted.

It is probable that one of the first moves in the legal procedure will be a motion before the St. Louis County Circuit Court to quash, so that the defendants may bring up the constitutionality of the anti-bookmaking law.

It is their contention that while the repeal of the breeder's law was passed regularly, that the subsequent action in enacting the felony clause was unconstitutional and is therefore, not a binding law. Should the jury in the cases find the defendants not guilty, the old system of code bookmaking probably will be re-adopted.

The bookmakers yesterday asserted that they would be ready for trial Wednesday and expressed the hope that there would be no delay in bringing the cases to trial on the part of the State. The county officials, who will probably be assisted in the prosecution by Attorney General Halsey, say that they have all of the paraphernalia used by the bookmakers and sufficient evidence.

To the casual observer in the ring yesterday it was not palpable that real betting was going on, but to the accustomed race-goer it was simple and easy to place a bet. The books accepted what money that was brought to them and paid off promptly after each race. The operators, however, say that they are willing to explain their system and that there is no record being kept of the bets such as would come under the ban of the anti-bookmaking law.

It is said that all the horsemen at the track have agreed to remain and await developments. So far no open complaint has been heard because of the cut in the purses and the rumor is that if racing is continued the former condition of affairs will be restored.

## H. H. ROGERS A CONVERT?

Lawson's Target Said to Have  
Embraced Christian Science.

REPUBLIC SPECIAL.  
New York, July 1.—Wall street heard to-day that H. H. Rogers, the Standard Oil millionaire, has been the main target of Thomas Lawson's attacks in "Fraudulent Finance," had become a convert to Christian Science.

No confirmation could be obtained from Rogers himself, and from the side of the Christian Scientists the only information obtainable was from H. Cornell Wilson, who has long acted as spokesman for that church.

He said:

"I never heard it intimated that Mr. Rogers was to join us until to-day. I have been asked by many persons, but what truth there may be in the rumor I cannot say. It may be that he has quietly adopted our belief without as yet satisfying himself with any particular church."

## VARDAMAN'S TRAIN WRECKED.

Governor of Mississippi Escapes  
Serious Injury.

Jackson, Miss., July 1.—The eastbound passenger train on the Queen and Crescent was wrecked at midnight near here. None of the passengers were killed, but several were seriously injured.

Governor Vardaman was in one of the sleepers and escaped with a shaking up.

JUDGE'S CONSENT  
NOT REQUIREDAttorney General Stead of Illinois  
May Enter Nolle Prosequi  
When He Desires.

REPUBLIC SPECIAL.

Springfield, Ill., July 1.—Attorney General Stead, in an opinion given State Attorney Gilliam of Madison County, holds that a State Attorney may enter the nolle prosequi in a criminal case without the consent of the court.

There is no statute in Illinois, says the Attorney General, regulating or limiting the right of a State Attorney to enter the nolle prosequi, and his right is at common law. Under the common law the Attorney General has the right and discretion to enter or withhold the nolle prosequi, and that right, in the public prosecutor in this State is common law.

The inquiry followed a refusal on the part of the Judge of the City Court at Alton to permit the State Attorney to discontinue a case.

PHILADELPHIA BOSS  
QUITS HIS OFFICEIsrael Durham Resigns as State  
Insurance Commissioner.

## FORCED OUT BY WEAVER.

Former Leader of Republicans in  
Pennsylvania Metropolis Is  
Named to Succeed  
Him.

Harrisburg, Pa., July 1.—Israel W. Durham of Philadelphia has resigned as State Commissioner of Insurance, whom Durham succeeded several years ago as the recognized Republican leader of Philadelphia, takes his place.

Simultaneously with the announcement of Martin's appointment the Governor announced the appointment of Captain John C. Groome of Honesdale to be Superintendent of the State Constabulary, created by the last Legislature.

Captain Groome is commander of the famous First Philadelphia City Troop. The Governor, in replying to Durham's letter of resignation, says, in part:

"In accepting your resignation it is only just to you to say that no complaint has ever been made to me concerning the conduct of affairs in your department."

RESIGNATION CALLED FORTH  
BY THE PEOPLE'S DEMAND.

Philadelphia, July 1.—The announcement that State Insurance Commissioner Israel W. Durham had resigned and that David Martin had been appointed to succeed him was received in this city with surprise.

Since the political upheaval recently inaugurated by Mayor Weaver there has been a general demand by clergymen, religious and other organizations for Mr. Durham's resignation, the allegation being made that the Insurance Commissioner had paid little or no attention to the duties of his office.

Seven years ago Mayor Ashbridge wrested the local Republican leadership from David Martin and transferred it to Mr. Durham. Since that time Mr. Durham has been the recognized leader of the Republican organization here, and it was not until he was divested of his powers by Mayor Weaver that Martin again came into prominence.

## MINISTER KILLS HIMSELF.

The Reverend Francis Keen Swallows  
Morphine at Fort Smith.

REPUBLIC SPECIAL.  
Fort Smith, Ark., July 1.—The Reverend Francis M. Keen committed suicide here late last night. Keen had been in charge of the Methodist Church at Eureka Springs, and gave up his pulpit on account of his ill health. He came to Fort Smith and became an insurance agent, giving up his credentials as a minister.

Friday, in despondency he went home, wrote letters to friends, then turned to his family and took thirty grains of morphine. Physicians were called, but Keen would not allow them to enter the house. Keen asked to be buried in a plain white pine box with no outside covering and with no funeral services. He was a member of the Shriners, Knights of Pythias and Woodmen.

## EXIT THE DAWES COMMISSION.

Tams Bixby Will Conclude the  
Work of Famous Body.

REPUBLIC SPECIAL.  
Muskegon, I. T., July 1.—At the stroke of 12 o'clock last night, the Dawes Commission was going on, but to the accustomed race-goer it was simple and easy to place a bet. The books accepted what money that was brought to them and paid off promptly after each race. The operators, however, say that they are willing to explain their system and that there is no record being kept of the bets such as would come under the ban of the anti-bookmaking law.

It is said that all the horsemen at the track have agreed to remain and await developments. So far no open complaint has been heard because of the cut in the purses and the rumor is that if racing is continued the former condition of affairs will be restored.

## MYERS'S SLAYER SENTENCED.

Frank Hottman's Execution Is  
Set for August 10.

Kansas City, Mo., July 1.—Frank Hottman, convicted of complicity in the murder of Clarence Myers, was today sentenced to be hanged on August 10. Mrs. Myers also is under sentence of death.

An appeal in each case will not act as a stay of execution. Hottman wept today when sentence was passed.

Last week when sentence was passed on Mrs. Myers she smiled and made no show of emotion.

## DAWSON GETS 99 YEARS.

Jury at Paris, Mo., Finds Second  
Degree Murder Verdict.

Paris, Mo., July 1.—After deliberating fourteen hours and twice coming back for additional instructions, the jury in the Frank Dawson case this morning brought in a verdict of murder in the second degree and fixed the punishment at ninety-nine years in the Penitentiary.

The case has been fought stubbornly by Prosecuting Attorney Boyd and the attorneys for the defense.

## VACCINATION IN MOUTH.

Substitute for Scarification Is  
Discussed in Chicago.

Chicago, July 1.—Vaccination by introduction of virus into the mouth as a substitute for scarification was the chief topic of discussion at the closing session of the American Institute of Homeopathy to-day. The matter was placed in the hands of a committee, who will investigate the new method of vaccination and report at the next meeting, to be held at Atlantic City, N. J., September 18, 1905.

## KENTUCKY NEGROES THREATEN

To Retaliate if Lynching Takes  
Place at Scottsville.

Scottsville, Ky., July 1.—Excitement continues apace, the negro population threatening to retaliate on the white people if the alleged negro incendiaries in jail here are lynched.

DISMISSES CASE  
IN MERGER DEALJudge Pollock Throws Out Suit in  
Transit-United Railway-Brown  
Brothers Transaction.

## AN APPEAL MAY BE TAKEN.

Celia, Adler & Tilles, Plaintiffs,  
State That They Will Take  
Matter to United States  
Court of Appeals.

After pending eight months in the United States Court the suit brought by Celia, Adler & Tilles, to dissolve the merger of the St. Louis Transit Company with the United Railway Company, was dismissed yesterday by Judge John J. Pollock of Topeka, Kas.

Former Judge Henry W. Bond, attorney for the plaintiffs, yesterday afternoon stated that his clients would carry the case to the United States Court of Appeals for a further hearing. In the meantime the \$300,000, representing 54 per cent of the \$550,000 participation desired by Celia, Adler & Tilles in the merger, remains on deposit in a local bank, where it will stay until a final settlement has been reached.

The petitioners, it is alleged, sought to prevent a tripartite agreement merging the St. Louis Transit Company into the United Railway Company, unless the petitioners received \$500,000 worth of stock. The plaintiffs held 11,000 shares of stock in the St. Louis Transit Company and deposited it with the Brown Bros. of New York City in October, 1904, under the terms of a tripartite contract for which, they alleged, they were to receive trust agreements. The trouble grew out of Celia, Adler & Tilles demanding \$500,000 participation in the new syndicate.

On October 23, 1904, former Judge Henry W. Bond, representing Celia, Adler and Tilles, tendered to the National Bank of Commerce \$577,750, which was 54 per cent of the \$550,000 participation desired, and stated that they were ready to pay the 10 per cent balance the moment it was asked for.

It was alleged that the money was refused by the National Bank of Commerce, which was acting as the representative of the Brown Brothers in New York, and October 21 a suit was filed in the United States District Court. At this time an injunction was granted, and the money of Celia, Adler and Tilles was paid into court, where it still remains.

In the decree handed down by Judge Pollock, he held that the shareholders of the railway companies had authorized the tripartite merger at a meeting held for that purpose; that Celia, Adler and Tilles were represented, and that the agreement was carried out.

## SECOND REGIMENT IN CAMP.

Heavy Downpour Greets Militia-  
men at Springfield.

REPUBLIC SPECIAL.  
Springfield, Ill., July 1.—The Second Regiment, with 1,000 men, reached camp from Chicago this morning. On account of a heavy downpour of rain in the afternoon no drills were held and the men spent their time in their tents.

A new departure will be inaugurated by Colonel Brolaski. At drills particular attention is to be paid to sentinal duty. Two companies will be placed on guard each day, and the officers of the company are to give instructions in sentinal duty through the twenty-four hours.

Heretofore the sentinal work has been done by details, and not much interest has been shown. Under Colonel Brolaski's new plan one company will be on one flank and the second company on the other flank, creating rivalry.

Before the week is ended every company will have been on sentinal duty. The Colonel will select one noncommissioned officer from each company and the three field officers as a committee to watch the work and to report to him at the end of the week which company has shown the highest degree of proficiency. To the winning company the Colonel will present a silver cup or a silver sentinal on duty.

## TEXAS MEAT BID REFUSED.

Swift the Only Packer to Offer  
Prices for Supplies.

REPUBLIC SPECIAL.  
Dallas, Tex., July 1.—State Purchasing Agent Anderson today announced that "all" bids for packing-house supplies for State charitable institutions had been rejected because of "peculiar" circumstances.

"All" bids meant one bid, as Swift and Company was the only bidder. Armour and others ignored requests to bid. The State charitable institutions contain approximately 5,000 inmates, and the contract is a valuable one.

One of the peculiarities Agent Anderson encountered was that a bid for bacon for an institution having more than 2,500 inmates was 14 cents per pound higher than for one with only 250 inmates.

## ROB MESSENGER

BOY OF \$1,700

Chicago Lad Accosted in Bank's  
Shadow, and Pepper Thrown  
in His Eyes.

Chicago, July 1.—Almost in the shadow of the doors of the Corn Exchange National Bank, and only a short distance from the Board of Trade, Don Beamy, a messenger employed by Bartlett, Franks & Carrington, grain and stock brokers, was attacked to-day by a lone robber, who threw red pepper in Beamy's eyes and then robbed him of more than \$1,700. The robber escaped. Beamy may lose his eyesight.

## MRS. DEFREE NOT POISONED.

Pneumonia the Cause of Illinois  
Woman's Death.

Elgin, Ill., July 1.—Physicians submitted a report to-day that the wife of W. H. Defree came to her death as a result of pneumonia, and not poisoning from arsenic.

No traces of any poison were found in the woman's viscera. Defree, who was under arrest on a charge of wife murder, was admitted to bail.

MAY ARRANGE PEACE TREATY  
ABOARD THE PRESIDENT'S YACHT

On the arrival of the envoys from Japan and Russia the heated term will be in full force, and it is believed that President Roosevelt will invite the envoys to discuss the terms of peace aboard the Mayflower.

SOME NOTABLE ACHIEVEMENTS  
OF THE LATE JOHN HAY.

He secured the reluctant consent of Great Britain to the abrogation of the Clayton-Bulwer treaty, making possible the construction of an isthmian canal by the United States.

He was conspicuous in the negotiations with Colombia, standing firm as a rock against the demands of its grafting legislators, and was the first to appreciate the master stroke of Panama independence.

He threw himself directly across the path of the European Powers when they would have partitioned China among themselves after the Boxer troubles, and forced the Empire to an open-door policy.

His ringing note to the Powers over the outrages on Roumanian Jews attracted world-wide attention and resulted in great reforms, which other statesmen of more devious methods had long worked for in vain.

He negotiated treaties by which the claims of American citizens against foreign countries may be settled amicably and speedily by arbitration.

His dignified course in the Venezuelan crisis carried this country safely over a dangerous period in its history.

He handled more delicate questions requiring the maximum of diplomatic tact than any other Secretary of State since the Civil War, notable among these being the release of Miss Stone, the missionary, after her capture in Turkey; the Moroccan affair, when he issued the famous "Fidelicis alive or Hassan dead" ultimatum; the Santo Domingo affair, and the developments just prior to the outbreak of the war in the far East.

Above all, he wiped the cobwebs from the eyes of European diplomacy by clean-cut, straight dealing, having no patience whatever with laborious courses of the established diplomatic methods abroad.

TO ATTEND BURIAL  
OF SECRETARY HAYCaptain Brolaski, Veteran River  
Commander, Was Once a Boy-  
hood Friend of Dead States-  
man.HAY WAS AT LINCOLN'S  
BEDSIDE WHEN HE DIED.

REPUBLIC SPECIAL.  
New York, July 1.—Of all the persons who stood about the death bed of President Lincoln when he died in the Peterson home in Washington, only two are living. The death of Secretary Hay removed another of the famous group of twenty-two and now Robert Lincoln, son of the former President, and Doctor Charles A. Leale of No. 604 Madison avenue alone remain.

Doctor Leale was the surgeon in attendance on President Lincoln during the entire time after he was shot. The doctor was then executive officer of the United States Army general hospital in Armory Square, Washington, and was summoned by Mrs. Lincoln to take charge of the President.

"The passing away of Secretary Hay," he said to-day, "brings to my memory period of the nation's deepest anxiety, when, for hours before and at the moment when the spirit of President Lincoln departed, I firmly held the right hand that had signed the proclamation liberating millions of human beings from slavery, and the one standing next to me at the death bed was the ever faithful John Hay, who for more than forty years has nobly served our country and has been acknowledged the great American statesman."

"We three—Secretary Hay, Robert Lincoln and myself—were the youngest men in the group of statesmen, officers and doctors. I remember well, though my mind was filled at the moment by the President's condition, that John Hay was ever by the bedside, never having left it for a moment. His devotion at that time I have never forgotten, and it has been repeated in the years since that time by his devotion to his country."

BITE MAY CAUSE  
BLOOD POISONNegro Sinks Teeth Into Bartender's  
Cheek When Ordered  
From Saloon.

John H. Findley, a bartender, at No. 2200 Chestnut street, fears blood poisoning from a bite on his cheek inflicted by William Burkhead, a negro.

Findley ordered the negro from the saloon. A fight followed and Burkhead grabbed Findley around the neck, sank his teeth into his cheek and tore out an inch of flesh.

Police-men Mulcahey, Munell and Hughes were summoned. The negro still had not had enough fight, and attacked the policeman. When the trio of bluecoats got through with him, however, he needed the attention of a dispensary physician.

Findley was taken to the dispensary for treatment also. The physician who attended him declared that there is danger of blood poisoning, which may cost Findley's life.

HAY'S FUNERAL WILL BE  
CONDUCTED AT CLEVELANDServices Are to Be Held in the Ohio City, Probably Wednesday—  
President Roosevelt Will Attend the Burial and Members of  
the Cabinet Will Act as Pallbearers—Washington Deeply  
Shocked by News of the Sudden Death.

## ALL FLAGS AT NATIONAL CAPITAL FLY AT HALF-MAST.

REPUBLIC SPECIAL.

Washington, July 1.—To say that the news of Mr. Hay's death was a shock to Washington does not adequately express the feeling produced here when newspaper extras informed the people of the city that its most distinguished citizen had passed away. The District of Columbia was Mr. Hay's legal residence, and he regarded the capital as his permanent home.

The flags which, according to law, must be flown from every Government building were lowered to half-mast, and the hotels followed the example set in this direction.

Herbert H. D. Pierce, the Third Assistant and Acting Secretary of State, came to the department early, expecting to receive some official news of Mr. Hay's passing away. This had come already in a brief dispatch from Mrs. Hay to E. J. Babcock, Mr. Hay's private secretary.

Mr. Pierce immediately notified all the members of the Cabinet. He also sent a telegram to President Roosevelt at Oyster Bay, asking for instructions.

By direction of Mr. Pierce, formal notice was sent to the members of the Diplomatic Corps that Mr. Hay had died this morning.

## FUNERAL ARRANGEMENTS.

Formal funeral services over the body of Secretary Hay will be held in Cleveland, O., probably on Wednesday next, though the precise date as yet has not been definitely fixed. The members of the Cabinet will be honorary pallbearers.

Detailed arrangements for the funeral have not been completed. Should the funeral not be held until Thursday, it is probable, inasmuch as President Roosevelt expects to be in attendance on it, that his engagement to speak before the National Educational Association at Ocean Grove, N. J., on Friday next may have to be postponed until Saturday.

## HAY'S SUCCESSOR.

While it may seem cold-blooded for official Washington to be speculating about his probable successor, so soon after the news of Mr. Hay's death is received, it must be recalled that Cabinet slate-making has been in progress for many weeks, even before the Secretary of State went abroad.

The almost instant need of some strong guiding hand to direct our foreign policy while revolution seems imminent in Russia, and affairs have reached such a critical stage in the far East, is recognized and is allowed to overshadow, in some degree, the sense of personal loss that is felt by all Washington in Mr. Hay's death.

Mr. Taft's prominence as the head of the War Department, the supreme confidence which the President has in his ability and judgment and his successful venture into the field of diplomacy during Mr. Hay's absence in Europe all tend to a confident feeling that he will become the Secretary of State.

Senator Lodge of Massachusetts and Senator Spooner of Wisconsin have both been mentioned in recent gossip, based on the likelihood that Mr. Hay would not continue in public life, but it is believed here that neither stands any chance in comparison with Mr. Taft. Mr. Bonaparte, it is believed, will go to the Department of Justice when Attorney General Moody resigns, and the impression has been that Postmaster General Cortright would succeed Mr. Shaw as Secretary of the Treasury.

There is no need of haste in making these changes, but it is felt that the interests of the Government will not permit of a long vacancy at the head of the Department of State.

PRESIDENT FEELS DEATH  
AS PERSONAL BEREAVEMENT.

Oyster Bay, L. I., July 1.—President Roosevelt was shocked and grieved deeply at the death of Secretary of State John Hay. The news was conveyed to him early this morning by a representative of the Associated Press. The President regarded the information as almost incredible, as the last word he had received from the stricken leader of the Cabinet was that he was improving rapidly and was quite out of danger.

When the President was in Cambridge, Mass., on Wednesday, he had a consultation with Doctor Jackson of Boston, who had been summoned to the bedside of Secretary Hay at the inception of his illness. Assurances were given by Doctor Jackson that, while the Secretary had been a very sick man, he then evidently was on the road to recovery. Doctor Jackson said that the consulting physicians agreed with him in the expression of this opinion.

President Roosevelt felt since Secretary Hay went abroad in the spring that he might not be able again actively to resume his onerous duties and responsibilities as Secretary of State, but when Mr. Hay returned to Washington his condition was so greatly improved that both he and the President hoped that with a summer's rest at Lake Sunapee he might be able, for a time at least, to continue the direction of the State Department.

PRESIDENT'S CLOSE FRIEND.

The death of Secretary Hay, so entirely unexpected, came as a personal bereavement to the President. With him the President was on terms of the warmest personal friendship. The Secretary's home was one place in Washington which President Roosevelt visited with frequency. Indeed, it was a habit with the President, while returning to the White House from church on a Sunday, to stop at the residence of Secretary Hay for an informal talk about matters of mutual interest.

Their conversations on such occasions were not confined by any name to Gov-

LONDON PAPERS PRAISE  
DEPARTED STATESMAN.

London, July 1.—The evening papers contain lengthy biographical sketches of John Hay. All express the deepest regret at the news of his death. A few typical comments are added. The Globe says:

"His loss will be sincerely regretted throughout the whole civilized world. The regret in official circles is particularly keen, for though we did not always find him easy to deal with and have perhaps thought that he pressed the interests of his country almost too vigorously, he had always been recognized as a firm friend of England, understanding the relations between the two great branches of the Anglo-Saxon world, and the peace of the world on larger grounds."

The Pall Mall Gazette says:

"There will be most genuine sorrow throughout all public circles in this country at the news. The sincerity and largeness of mind which it was impossible to regret in official circles is particularly keen, for though we did not always find him easy to deal with and have perhaps thought that he pressed the interests of his country almost too vigorously, he had always been recognized as a firm friend of England, understanding the relations between the two great branches of the Anglo-Saxon world, and the peace of the world on larger grounds."

"COUNTRY CAN ILL  
AFFORD TO LOSE HAY."

—GROVER CLEVELAND.

REPUBLIC SPECIAL.  
Bussard's Bay, Mass., July 1.—Ex-President Cleveland learned of the death of Secretary Hay while on board the steam yacht Onondaga here. Seated on the deck of the yacht, Mr. Cleveland passed the following:

"I am intensely shocked and grieved to hear of the death of Secretary Hay. I feel that, in the light of highest and most substantial good of the country, we can ill afford to lose such a man. While the grief caused by his death must be universal, we, as a people, should be grateful for his life and deeds, and above all, should profit by his lofty example of patriotism and duty."

"If we can but properly appreciate the value and service of disinterested men and devotion in public conduct, we shall derive a rich legacy from the life and death of John Hay."

KING EDWARD EXPRESSES  
GRIEF OVER HAY'S DEATH.London, July 1.—At Buckingham Palace to-day the following statement was authorized:

"The King is deeply grieved to hear of the death of Mr. Hay, especially as he had seen him so recently when he came to the palace during his stay in London last year."

Continued on Page Two.